



December 27, 2024

**VIA ECF**

The Honorable Yvonne Gonzalez Rogers  
United States District Court for the Northern District of California  
Oakland Courthouse  
1301 Clay Street  
Oakland, CA 94612

*In Re: Social Media Adolescent Addiction/Personal Injury Products Liability Litigation*  
Case No. 4:22-md-03047-YGR, MDL No. 3047

Dear Judge Gonzalez Rogers,

I respectfully seek appointment as a member of the Plaintiffs' Steering Committee in the matter of *In re Social Media Adolescent Addiction/Personal Injury Products Liability Litigation*, No. 4:22-md-03047-YGR (N.D. Cal.). My firm, Boies Schiller Flexner LLP, is currently counsel representing A.A. Abraham and similarly situated persons.

**(1) Professional experience in this type of litigation, including MDL experience as lead or liaison counsel and/or service on plaintiff's committees.**

I have been fortunate to have served as lead or co-lead counsel in several multidistrict litigations and nationwide class actions throughout my career. I served as one of two co-lead counsel in *In re Blue Cross Blue Shield Antitrust Litigation* (N.D. Ala.), which resulted in a settlement of \$2.7 billion on behalf of consumers nationwide, as well as injunctive relief that Judge Proctor, who presided over the case, described as "historic." For this representation, my firm and our co-lead counsel were awarded the Outstanding Antitrust Achievement in Private Law Practice award by the American Antitrust Institute. I also served as co-lead counsel of the economic damages track in *In re Takata Airbag Product Liability Litigation* (S.D. Fla.), where we recovered \$1.5 billion in settlements for class members. As co-lead counsel for the economic damages track, a key aspect of my role is ensuring proper coordination and communication across all cases. I am confident that my experience leading the *Takata* litigation, will be invaluable in organizing plaintiffs' counsel and working toward an expeditious resolution of all plaintiffs' and putative class members' claims.

My firm recently became interim lead counsel on *Kadrey et al. v. Meta Platforms Inc. et al.* (N.D. Cal.). We also served as co-lead counsel on *Brown v. Google LLC* (N.D. Cal.). I also recently served as co-lead counsel in the *FTX Cryptocurrency Exchange Collapse Litigation* (S.D. Fla.) and *In re Grupo Televisa Securities Litigation* (S.D.N.Y.). And I served on the Plaintiffs' Steering Committee in *In re Volkswagen "Clean Diesel" Marketing, Sales Practices, and Products Liability Litigation* (N.D. Cal.), where we achieved a recovery of \$15 billion, including up to \$10 billion of direct consumer relief, in less than a year. I also served on the Plaintiffs' Executive Committee of the *In re General Motors LLC Ignition Switch Litigation* (S.D.N.Y.), which resulted in a \$121.1 million settlement that received final approval



on December 18, 2020. My firm also won two settlements on behalf of a class of victims of Jefferey Epstein (S.D.N.Y.), a \$290 million settlement between JP Morgan Chase & Co. and the class of victims and a similar \$75 million settlement against Deutsche Bank.

Other class actions in which we have served as lead or co-lead counsel (which are now completed) include: *Starr International v. United States* (Ct. Fed. Claims) (Lead Counsel); *O'Bannon v. NCAA* (N.D. Cal.) (Co-Lead Trial Counsel); *In re Municipal Derivatives Antitrust Litigation* (S.D.N.Y.) (Co-Lead Counsel); *In re Vitamin C Antitrust Litigation* (E.D.N.Y.) (Lead Counsel); *In re Polyurethane Foam Antitrust Litigation* (N.D. Ohio) (Co-Lead Counsel); *Molecular Diagnostics Laboratories v. Hoffmann-La Roche Inc., et al.* (D.D.C.) (Co-Lead Counsel); *In re Auction Houses Antitrust Litigation* (S.D.N.Y.) (Lead Counsel); *In re Vitamins Antitrust Litigation* (D.D.C.) (Co-Lead Counsel).

**(2) The names and contact information of judges before whom the applicant has appeared in the matters discussed above.**

Honorable Thomas C. Wheeler (Ret.): *Starr International v. United States*

Honorable Phyllis J. Hamilton (510-637-1296): *Oracle v. SAP*

Honorable Federico A. Moreno (305-523-5110): *In re Takata Airbag Products Liability Litigation*

Honorable K. Michael Moore (305-523-5160): *In re FTX Cryptocurrency Exchange Collapse Litigation*

Honorable Charles R. Breyer (415-522-2062): *In re Volkswagen "Clean Diesel" Marketing, Sales Practices, and Products Liability Litigation*

Honorable Jesse M. Furman (212-805-0282): *In re General Motors LLC Ignition Switch Litigation*

Honorable Louis L. Stanton (212-805-0252): *In re Grupo Televisa Securities Litigation*

Honorable Vince Chhabria (415-522-4173): *Kadrey et al. v. Meta Platforms Inc. et al.*

Honorable Yvonne Gonzalez Rogers (510-637-3540): *Brown v. Google LLC*

**(3) Willingness and ability to commit to time-consuming litigation.**

My firm, partners, attorneys, and I are fully and immediately committed to devote the time necessary to litigate this case to resolution.

**(4) Willingness and ability to work cooperatively with other plaintiffs' counsel and defense counsel.**

In my experience as co-lead counsel in large-scale consumer classes such as *Takata* and *Blue Cross Blue Shield*, I have taken the role of coordinating among large numbers of plaintiff's counsel to present a "united front" against sophisticated and well-financed defendants.

Throughout my leadership appointments, I have worked collegially with opposing counsel to reach a successful resolution. I pledge my best effort to this Court to help manage this litigation in a professional and effective manner.

**(5) Access to resources to prosecute the litigation in a timely manner.**

My firm and I have a proven track record of dedicating the time and resources necessary to litigate



large-scale consumer class cases effectively. For example, in the *Blue Cross Blue Shield* case, I personally attended more than 30 hearings and status conferences in person in Birmingham, Alabama, my firm committed more than 50,000 hours of attorney time (including more than 5,000 hours of my time) on behalf of the consumers we represented, and my firm alone invested more than \$7.5 million in out-of-pocket expert and other expenses.

My firm's investment in this MDL would be no different. Boies Schiller Flexner LLP is fully committed to this case and will devote the time and resources necessary to litigate it to a successful resolution. I do not have any litigation funding to report for this matter.

**(6) Willingness to serve as lead counsel, member of a steering committee, or both.**

I am applying for a position on the Plaintiffs' Steering Committee in any capacity that the Court determines would benefit the resolution of this case.

**(7) Any other considerations that qualify counsel for a leadership position.**

Our firm has extensive experience taking complex cases to trial. Our willingness and ability to take cases to trial – coupled with our considerable experience representing defendants in class actions and other complex cases – has greatly aided us in achieving outstanding results for the plaintiffs we have represented. We have negotiated billions of dollars in class action settlements for plaintiffs over the last decade.

I appreciate the Court's consideration of this application.

Sincerely,

A handwritten signature in blue ink that reads 'David Boies'. The signature is written in a cursive, flowing style.

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